



February 6, 2009

HOUSE BILL No. 1042

DIGEST OF HB 1042 (Updated February 3, 2009 12:12 pm - DI 87)

Citations Affected: IC 36-4.

Synopsis: Board of public works and safety. Allows the board of public works and safety of a third class city to consist of three or five members (as determined by the mayor).

Effective: July 1, 2009.

Duncan, Bartlett, Tyler, Smith M

January 7, 2009, read first time and referred to Committee on Government and Regulatory Reform.
February 5, 2009, reported — Do Pass.

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HB 1042—LS 6174/DI 73+



February 6, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1042

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-4-9-8 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) This section applies only to
3 third class cities.

4 (b) The city executive shall appoint:

- 5 (1) a city civil engineer;
- 6 (2) a city attorney;
- 7 (3) a chief of the fire department;
- 8 (4) a chief of the police department; and
- 9 (5) other officers, employees, boards, and commissions required
- 10 by statute.

11 (c) **The board of public works and safety consists of three (3) or**
12 **five (5) members (as determined by the city executive).** The
13 members of the board of public works and safety are:

- 14 (1) the city executive; and
- 15 (2) two (2) **or four (4)** persons appointed by the executive.

16 IC 36-4-4-2 notwithstanding, a member may hold other appointive or
17 elective positions in city government during the member's tenure.

HB 1042—LS 6174/DI 73+



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- 1 IC 36-4-11-2 applies to board member appointments under this section.
- 2 The city clerk is the clerk of the board.
- 3 (d) If the city legislative body adopts an ordinance under IC 36-4-12
- 4 to employ a city manager, the executive may appoint the city manager
- 5 to a position on the board of public works and safety in place of the
- 6 executive.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1042, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BARTLETT, Chair

Committee Vote: yeas 11, nays 0.

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HB 1042—LS 6174/DI 73+

